

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN CIVIL LIBERTIES UNION, and
AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE, FEDERAL BUREAU OF
INVESTIGATION, and DRUG
ENFORCEMENT ADMINISTRATION

Defendants.

C.A. No. 1:19-CV-12242-WGY

DEFENDANTS' MOTION TO EXTEND TIME
FOR FILING MOTION FOR SUMMARY JUDGMENT
(ASSENTED TO)

Defendants, U.S. Department of Justice, Federal Bureau of Investigation and Drug Enforcement Administration (collectively "Defendants"), by their attorney, Nathaniel R. Mendell, Acting U.S. Attorney for the District of Massachusetts, respectfully request the Court to extend by which Defendants are to file their Motion for Summary Judgment.

As grounds for this motion, Defendants state that they have had several discussions with Plaintiff regarding the schedule in this matter. Defendants provided Plaintiff with its Vaughn index on March 3, 2021 and advised Plaintiff they still had not yet received a production from the other governmental agencies. Since that time, Defendants received documents from the other agencies and anticipates that it will produce said documents, as well as a supplemental Vaughn index on March 31, 2021. The parties intend to consult regarding the produced documents, extent of the search and redactions by April 19, 2021. A 60-day extension of time from the

consultation is requested, so that the Defendants can reassess the scope of the motion, prepare declarations on both the scope of the search and redactions asserted, and present its arguments thoroughly. Defendants note that it is likely declarations will not only be submitted by the FBI (the named defendant in this matter), but also from other governmental agencies who are not named defendants. As such, it will be necessary to coordinate with these agencies regarding their declarations and it is anticipated that additional time is necessary to do so.

In further support of this motion, Defendants state that Plaintiffs have assented to the relief requested herein.

WHEREFORE, Defendants request that the Court grant their motion, and order that the parties confer on or before April 19, 2021, and Defendants file their Motion for Summary Judgment on or before June 18, 2021.

Respectfully submitted,

NATHANIEL R. MENDELL
Acting U.S. Attorney

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LOCAL RULE 7.1 CERTIFICATION

I certify that I have consulted with Plaintiff regarding this motion, and Plaintiff assents to the relief requested.

Dated: March 30, 2021

/s/ Susan M. Poswistilo
Assistant U.S. Attorney